IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 6TH FEBRUARY 2007 / 17TH MAGHA 1928

WP(C).No. 2353 of 2007(E)

PETITIONER:

SHAREEF, EXCEL PLAZA, PETTA, FEROKE,
KOZHIKODE 673 003.

BY ADV. SRI.P.K.VIJAYAMOHANAN
SMT.RESMI G. NAIR
SRI.NISHIL.P.S.

RESPONDENTS:

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1. THE CALICUT DEVELOPMENT AUTHORITY,
REPRESENTED BY ITS SECRETARY, KOZHIKODE.

2. THE KOZHIKODE CORPORATION,
REPRESENTED BY ITS SECRETARY,
CORPORATION OFFICE, KOZHIKODE.

BY ADV. SRI.P.SANTHALINGAM
SRI.S.SHARAN
SRI.P.V.KUNHIKRISHNAN, SC FOR R2

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 2353 OF 2007

Dated this the 6th day of February, 2007

JUDGMENT

Sri.P.Santhalingam, Standing Counsel appearing for the 1st respondent seeks time again. I am not inclined to grant further time.

My attention was drawn to Ext.P4. Considering Ext.P4 and on the reasons stated in Ext.P4, the impugned order is liable to be quashed. I quash Ext.P3 and issue a direction to the 1st respondent-Development Authority to issue NOC to the 2nd respondent-Corporation. NOC will be issued by the Calicut Development Authority to the 2nd respondent-Corporation within three weeks of receiving copy of this judgment and after receiving the NOC, the Corporation will issue building permit to the petitioner provided the plan submitted by him is otherwise in order.

PIUS C. KURIAKOSE, JUDGE

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